

REMARKS**INTRODUCTION:**

In accordance with the foregoing, claims 4, 7, 13, and 14 have been canceled without prejudice or disclaimer, and claims 1, 16, 20, 22 and 24 have been amended. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1, 3-12, 15-20, 22, and 24 are pending and under consideration. Reconsideration is respectfully requested.

CORRECTION OF TYPOGRAPHICAL ERROR IN CLAIM 16

Claim 16 has been amended to correct "carboxy metal cellulose" to recite ---carboxy methyl cellulose---. Applicants apologize for the error.

ENTRY OF RESPONSE UNDER 37 C.F.R. §1.116:

Applicants request entry of this Rule 116 Response and Request for Reconsideration because:

- (a) at least certain of the rejected claims have been canceled thereby at least reducing the issues for appeal;
- (b) it is believed that the amendments of claims 1, 20, 22, and 24 put this application into condition for allowance as suggested by the Examiner;
- (c) the amendments were not earlier presented because the Applicants believed in good faith that the cited prior art did not disclose the present invention as previously claimed;
- (d) the amendments of claims 1, 20, 22, and 24 should not entail any further search by the Examiner since no new features are being added or no new issues are being raised; and/or
- (e) the amendments do not significantly alter the scope of the claims and place the application at least into a better form for appeal. No new features or new issues are being raised.

The Manual of Patent Examining Procedures sets forth in §714.12 that "[a]ny amendment that would place the case either in condition for allowance or in better form for appeal may be entered." (Underlining added for emphasis) Moreover, §714.13 sets forth that "[t]he Proposed Amendment should be given sufficient consideration to determine whether the claims are in condition for allowance and/or whether the issues on appeal are simplified." The Manual of Patent Examining Procedures further articulates that the reason for any non-entry should be explained expressly in the Advisory Action.

CHANGES TO THE SPECIFICATION:

The specification has been reviewed. Changes have been made to the specification only to place it in preferred and better U.S. form, i.e., to correct typographical errors in paragraphs [0049] and [0050]. No new matter has been added.

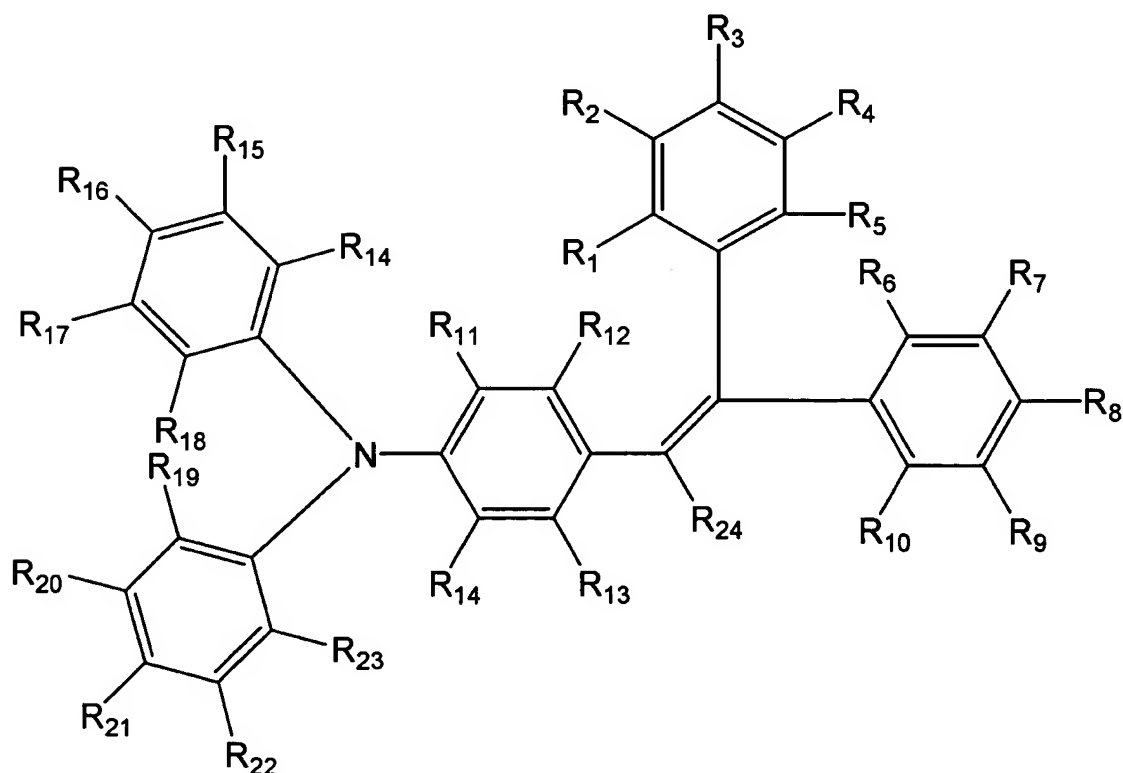
REJECTION UNDER 35 U.S.C. §103:

In the Office Action, at page 2, numbered paragraph 2, claims 1, 3-20, 22 and 24 were rejected under 35 U.S.C. §103(a) in view of Takeuchi (2002/0025484). The reasons for the rejection are set forth in the Office Action and therefore not repeated. The rejection is traversed and reconsideration is requested.

Independent claims 1, 20, 22 and 24 have been amended to include the features of claims 4 and 7 and portions of claims 13 and 14. Claims 4, 7, 13, and 14 have been cancelled without prejudice or disclaimer.

It is respectfully submitted that Takeuchi does not recite an electrophotographic photoreceptor comprising: a support; an undercoating; and a photosensitive layer, wherein the undercoating includes a charge transport material which is soluble in an organic solvent and a binder resin, and wherein the charge transport material in the undercoating is a compound represented by Formula 1:

Formula 1



wherein R₁, R₂, R₃, R₄, R₅, R₆, R₇, R₈, R₉, R₁₀, R₁₁, R₁₂, R₁₃, R₁₄, R₁₅, R₁₆, R₁₇, R₁₈, R₁₉, R₂₀, R₂₁, R₂₂, R₂₃, and R₂₄ are independently selected from the group consisting of a hydrogen atom, a halogen atom, a hydroxy group, a carboxyl group, a cyano group, an amino group, a nitro group, a C₁-C₂₀ optionally substituted alkyl group, a C₆-C₃₀ optionally substituted aryl group, a C₁-C₂₀ optionally substituted halogenated alkyl group, a C₇-C₃₀ optionally substituted aralkyl group and a C₁-C₂₀ optionally substituted alkoxy group, wherein the solvent for dissolving the charge transport material in the undercoating is an alcoholic solvent, a halogenated solvent or a cosolvent thereof, wherein the binder resin in the undercoating is at least one selected from the group consisting of polycarbonate, polyester, methacryl resin, acryl resin, polyvinyl chloride, polyvinylidene chloride, polystyrene, polyvinyl acetate, silicon resin, silicon-alkyd resin, styrene-alkyd resin, poly-N-vinylcarbazole, phenoxy resin, epoxy resin, polyvinyl butyral, polyvinyl acetal, polyvinyl formal, polysulfone, polyvinyl alcohol, ethyl cellulose, phenol resin, polyamide, carboxy methyl cellulose and polyurethane, and mixtures thereof, wherein the hole transport material is at least one selected from the group consisting of pyrene compounds, arylmethane compounds, thiazole compounds and styryl compounds, and wherein the electron transport material is at least one selected from the group consisting of electron attracting low-molecular weight compounds including fluorenone compounds and xanthenes compounds, as is recited in amended claim 1, and similarly in claims 20, 22, and 24 of the present invention.

Hence, amended claims 1, 20, 22 and 24 are now submitted to be patentable under 35 U.S.C. §103(a) in view of Takeuchi (2002/0025484). Since claims 3-12, and 15-19 depend from amended claim 1, claims 3-12 and 15-19 are submitted to be patentable under 35 U.S.C. §103(a) in view of Takeuchi (2002/0025484) for at least the reasons that amended claim 1 is submitted to be patentable under 35 U.S.C. §103(a) in view of Takeuchi (2002/0025484).

CONCLUSION:

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot, and further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited. At a minimum, this Amendment should be entered at least for purposes of Appeal as it either clarifies and/or narrows the issues for consideration by the Board.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited and possibly concluded by the Examiner contacting the undersigned attorney for a telephone interview to discuss any such remaining issues.

Ser. No. 10/612,418

Docket No. 1293.1823

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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